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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,  
Plaintiff,

v.

JOSEPH J. PUGLIESE,  
Defendant.

No.: CR 10-268 (MHP)

STIPULATION AND ~~PROPOSED~~ ORDER  
EXCLUDING TIME UNDER SPEEDY TRIAL  
ACT FROM MAY 24, 2010 TO JULY 12, 2010

The parties appeared before the Honorable Marilyn H. Patel on May 24, 2010.  
With the agreement of counsel for both parties, the Court finds and holds as follows:

1. The government has produced discovery and the parties have engaged in meaningful plea discussions relating to a disposition that will address the charges currently pending in this Court.

2. The parties agree to an exclusion of time under the Speedy Trial Act from May

STIP & [PROP.] ORDER  
CR 10-268 MHP

24, 2010 to July 12, 2010, in light of the need for defense counsel to review the discovery material. Failure to grant the requested continuance would unreasonably deny defense counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and would deny the defendant continuity of counsel.

3. Given these circumstances, the Court finds that the ends of justice served by excluding the period from May 24, 2010 to July 12, 2010 outweigh the best interest of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A). Accordingly, and with the consent of the defendant, the period from May 24, 2010 to July 12, 2010 shall be excluded from Speedy Trial Act calculations under 18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv).

4. It is expected that at the next court appearance on July 12, 2010, either the parties will notify the Court that they wish to set a date for a change of plea or the Court will set dates for motions and/or trial.

IT IS SO STIPULATED.

DATED: May 24, 2010

/s/  
JEFFREY RABKIN  
Assistant United States Attorney

DATED: May 24, 2010

/s/  
M. GERALD SCHWARTZBACH, ESQ.  
Attorney for Defendant

IT IS SO ORDERED.

DATED: 5/25/2010

